

ORDINANCE NO. 12-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of portions of two utility and drainage easements; that the applicant has represented to the City of Huntsville that **Hunter Communities, Inc.**, is the owner of the property across which said easements lie; that said easements or portions being vacated are not presently used and are no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute two quitclaim deeds vacating the easements hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED

THIS INDENTURE MADE AND ENTERED into this, the 3rd day of May, 2012, by and between **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as "Party of the First Part", and **Hunter Communities, Inc.**, an Alabama corporation, hereinafter referred to as "Party of the Second Part".

WITNESSETH

THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to the Party of the First Part in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, the Party of the First Part has this day remised, released, quitclaimed and conveyed to the Party of the Second Part, the following described lot or parcel of land lying and being situated in the County of Madison, State of Alabama, to-wit:

All that part of the Southeast Quarter of Section 19, Township 3 South, Range 2 West of the Huntsville Meridian, Madison County, Alabama, being a 11' (N) X 12'(E)" rectangular shaped tract of land to be vacated from the East side of a 15 foot public utility and drainage easement, which run along North Boundary Line of Lot 10, Block 5, Knox Creek Third Addition as shown by map or plat of said addition, on file and of record in Plat Book 22, Page 56, in the Office of the Judge of Probate of Madison County, Alabama, situated, lying and being in Madison County, Alabama, more particularly described as:

Commencing at the Northwest corner of said Lot 10, Block 5, Knox Creek Third Addition, thence South 00 degrees 04 minutes 48 seconds East a distance of 15.00 feet to a point on the West Boundary Line of said Lot 10, Block 5, Knox Creek Third Addition, thence along the South boundary of a 15' public utility and drainage easement, North 89 degrees 53 minutes 25 seconds East a distance of 41.00 feet to The Point of Beginning.

Thence, from The Point of Beginning, North 00 degrees 04 minutes 48 seconds West a distance of 11.00 feet to a point, thence North 89 degrees 53 minutes 25 seconds East a distance of 12.00 feet to a point, thence South 00 degrees 04 minutes 48 seconds East a distance of 11.00 feet to a point, on the South boundary of an existing 15 foot public utility and drainage easement, thence along said 15' public utility and drainage Easement South 89 degrees 53 minutes 25 seconds West a distance of 12.0 feet to The Point of Beginning, containing 132.0 square feet more or less and being a part of Lot 10, Block 5, Knox Creek Third Addition as shown by map or plat of said addition, on file and of record in Plat Book 22, Page 56, in the Office of the Judge of Probate of Madison County, Alabama.

TO HAVE AND TO HOLD unto the Party of the Second Part, his heirs and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part has hereunto caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, the day and year hereinabove first written.

CITY OF HUNTSVILLE, an Alabama
municipal corporation

By: _____
Tommy Battle
Its: Mayor

ATTEST:

By: _____
Charles E. Hagood
Its: Clerk-Treasurer

STATE OF ALABAMA)

COUNTY OF MADISON)

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Tommy Battle and Charles E. Hagood, whose names, as Mayor and Clerk-Treasurer, respectively, of the City of Huntsville, an Alabama municipal corporation, are signed to the foregoing conveyance, who are known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears date

GIVEN under my hand and seal on this the 3rd day of May, 2012.

Notary Public
Commission Expiration Date: _____

STATE OF ALABAMA)

COUNTY OF MADISON)

QUITCLAIM DEED

THIS INDENTURE MADE AND ENTERED into this, the 3rd day of May, 2012, by and between **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as "Party of the First Part", and **Hunter Communities, Inc.**, an Alabama corporation, hereinafter referred to as "Party of the Second Part".

WITNESSETH

THAT FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to the Party of the First Part in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, the Party of the First Part has this day remised, released, quitclaimed and conveyed to the Party of the Second Part, the following described lot or parcel of land lying and being situated in the County of Madison, State of Alabama, to-wit:

All that part of the Southeast Quarter of Section 19, Township 3 South, Range 2 West of the Huntsville Meridian, Madison County, Alabama, being a 11' (N) X 12'(E)" rectangular shaped tract of land to be vacated from the East side of a 15 foot public utility and drainage easement, which run along North Boundary Line of Lot 10, Block 5, Knox Creek Third Addition as shown by map or plat of said addition, on file and of record in Plat Book 22, Page 56, in the Office of the Judge of Probate of Madison County, Alabama, situated, lying and being in Madison County, Alabama, more particularly described as:

Commencing at the Northwest corner of said Lot 10, Block 5, Knox Creek Third Addition, thence South 00 degrees 04 minutes 48 seconds East a distance of 15.00 feet to a point on the West Boundary Line of said Lot 10, Block 5, Knox Creek Third Addition, thence along the South boundary of a 15' public utility and drainage easement, North 89 degrees 53 minutes 25 seconds East a distance of 50.00 feet to a point on the West boundary of a 5' public utility and drainage easement, thence along the West boundary of a 5' public utility and drainage easement, South 00 degrees 04 minutes 48 seconds East a distance of 9.24 feet to the Point of Beginning.

Thence, from The Point of Beginning, continue South 00 degrees 04 minutes 48 seconds East a distance of 35.37 feet to a point, thence North 89 degrees 53 minutes 25 seconds East a distance of 4.00 feet to a point, thence North 00 degrees 04 minutes 48 seconds West a distance of 35.37 feet to a point, thence South 89 degrees 53 minutes 25 seconds West a distance of 4.0 feet to the Point of Beginning. Containing 141.3 square feet more or less and being a part of Lot 10, Block 5, Knox Creek Third Addition as shown by map or plat of said addition, on file and of record in Plat Book 22, Page 56, in the Office of the Judge of Probate of Madison County, Alabama.

TO HAVE AND TO HOLD unto the Party of the Second Part, his heirs and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part has hereunto caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, the day and year hereinabove first written.

CITY OF HUNTSVILLE, an Alabama
municipal corporation

By: _____
Tommy Battle
Its: Mayor

ATTEST:

By: _____
Charles E. Hagood
Its: Clerk-Treasurer

STATE OF ALABAMA)

COUNTY OF MADISON)

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Tommy Battle and Charles E. Hagood, whose names, as Mayor and Clerk-Treasurer, respectively, of the City of Huntsville, an Alabama municipal corporation, are signed to the foregoing conveyance, who are known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears date

GIVEN under my hand and seal on this the 3d day of May, 2012.

Notary Public
Commission Expiration Date: _____

Ordinance No. 12-_____ (Cont.)
Hunter Communities, Inc.

ADOPTED this the 3rd day of May, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 3rd day of May, 2012.

Mayor of the City of
Huntsville, Alabama